

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In Re:	:	
Lisa M. Kusan	:	Case No. 16-22718 JAD
Debtor	:	Chapter 13
	:	
Lisa M. Kusan	:	Docket No.
Movant	:	
	:	
American InfoSource, Bridgecrest Credit Co.,	:	
Cash Advance Now, Cenlar, DriveTime-	:	Related to Doc. #80
McKnight, Duquesne Light Co., Great Plains	:	
Finance, Green Trust Cash LLC, OneMain, PA	:	
Dept. of Revenue, Peoples Natural Gas, Pingora	:	
Loan Servicing, Recovery Management Systems	:	
Corp., Rosebud Lending and Zoca Loans,	:	
Springleaf Financial Services, Synchrony Bank,	:	
Target Finance, eCAST Settlement, Ronda	:	
Winnecour, Trustee, Office of the U.S. Trustee	:	
Respondents	:	

ORDER CONFIRMING CHAPTER 13 SALE OF PROPERTY
FREE AND DIVESTED OF LIENS

AND NOW, this 8th of March, 2019, on consideration of the Debtor's Motion for Sale of Property Free and Divested of Liens to JT Property Holdings LLC, for \$66,225.00, after hearing held in Courtroom D, 54th Floor, 600 Grant Street, Pittsburgh, PA, this date, the Court finds:

(1) That service of the Notice of Hearing and Order setting hearing on said Motion for private sale of real property free and divested of liens of the above-named Respondent, was made on the following secured creditor.

<u>DATE OF SERVICE</u>	<u>NAME OF LIENOR AND SECURITY</u>
January 24, 2019	Pingora Loan Servicing LLC and Cenlar FSB

(2) That sufficient general notice of said hearing and sale, together with the confirmation hearing thereon, was given to the creditors and parties in interest by the moving party as shown by the certificate of serviced duly filed and that the named parties were duly served with the Motion.

(3) That said sale hearing was duly advertised in the Pittsburgh Post-Gazette on 2/27/19 and in the Pittsburgh Legal Journal on 2/26/19, as shown by the Proof of Publications that are to be duly filed.

(4) That at the sale hearing the highest/best offer received was that of the above Purchasers and no objections to the sale were made which would result in cancellation of said sale.

(5) That the price of \$66,225.00 was offered by JT Property Services LLC was a full and fair price for the property in question.

(6) That the seller's real estate agent was appointed by Court Order dated February 15, 2019 and Court Order was duly filed at docket number 88.

(7) That the Purchaser has acted in good faith with respect to the within sale in accordance with In re Abbotts Dairies of Pennsylvania, Inc., 788 F2d.143 (*3d Cir. 1986).

Now therefore, **IT IS ORDERED, ADJUDGED AND DECREED**, that the sale by Special Warranty deed of the real property described as 1556 Hubbard Street, Pittsburgh, PA 15212 in Allegheny County is hereby **CONFIRMED** to JT Property Holdings LLC for \$66,225.00, free and divested of the above recited liens and claims, and, that the Movant is authorized to make, execute and deliver to the Purchasers above named the necessary deed and/or other documents required to transfer title to the property purchased upon compliance with the terms of sale;

IT IS FURTHER ORDERED, that the above recited liens and claims, be, and they hereby, are, transferred to the proceeds of sale, if and to the extent they may be determined to be valid liens against the sold property, that the within decreed sale shall be free, clear and divested of said liens and claims;


FURTHER ORDERED, that the following expenses/costs shall immediately be paid at the time of closing. *Failure of the closing agent to timely make and forward the disbursements required by this Order will subject the closing agent to monetary sanctions*, including among other things, a fine or the imposition of damages, after notice and hearing, for failure to comply with the above terms of this Order. Except as to the distribution specifically authorized herein, all remaining funds shall be held by Counsel for Movant pending further Order of this Court after notice and hearing.

- (1) Current real estate taxes, pro-rated to the date of closing;
- (2) The costs of local newspaper advertising in the amount of \$ 299.00 payable directly to Steidl & Steinberg, P.C. at Suite 2830 – Gulf Tower, 707 Grant Street, Pittsburgh, PA 15219;
- (3) The costs of legal journal advertising in the amount of \$ 194.50 payable directly to Steidl & Steinberg, P.C. at Suite 2830 – Gulf Tower, 707 Grant Street, Pittsburgh, PA 15219;
- (4) The Court approved realtor commission in the amount of 6.5% of sale price plus \$500.00 for a total of \$4,804.63;
- (5) Motion to Sell Free & Clear Filing Fee Reimbursement in the amount of \$181.00 payable directly to Steidl & Steinberg, P.C. at Suite 2830 – Gulf Tower, 707 Grant Street, Pittsburgh, PA 15219;
- (6) Court approved attorney fees and costs in the amount of \$ 2,875.00 payable directly to Steidl & Steinberg, P.C. at Suite 2830 – Gulf Tower, 707 Grant Street, Pittsburgh, PA 15219;
- (7) The Debtor's Exemption in the amount of \$5,680.00 payable directly to Lisa M. Kusan;

- (8) Other: The lien held by Pingara Loan Servicing is to be
Trustee fee of \$155.73 paid at closing.

FURTHER ORDERED that:

- (1) *Within seven (7) days of the date of this Order*, the Movant/Plaintiff shall serve a copy of the within Order on each Respondent/Defendant (i.e., each party against whom relief is sought) and its attorney of record, if any, upon any attorney or party who answered the motion or appeared at the hearing, the attorney of the debtor, the Closing Agent, the Purchaser, and the attorney for the Purchaser, if any, and file a certificate of service.
- (2) *Closing shall occur by April 18, 2019 unless additional time is granted by this honorable court.*
- (3) *Within seven (7) days following closing*, the Movant/Plaintiff shall file a *Report of Sale* which shall include a copy of the HUD-1 or other Settlement Statement; and,
- (4) This *Sale Confirmation Order* survives any dismissal or conversion of the within case.



United States Bankruptcy Judge
Gregory L. Taddonio

FILED
3/8/19 12:39 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA

In re:
Lisa M. Kusan
Debtor

Case No. 16-22718-JAD
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: bsil
Form ID: pdf900

Page 1 of 1
Total Noticed: 1

Date Rcvd: Mar 15, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 17, 2019.

db +Lisa M. Kusan, 1556 Hubbard Street, Pittsburgh, PA 15212-2175

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 17, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 8, 2019 at the address(es) listed below:

Alexandra Teresa Garcia on behalf of Creditor Flagstar Bank, FSB as servicer for Pingora Loan Servicing, LLC ecfmail@mwc-law.com, ecfmail@ecf.courtdrive.com
Danielle Boyle-Ebersole on behalf of Creditor Bridgecrest Credit Company, LLC debersole@hoflawgroup.com, pfranz@hoflawgroup.com
James Warmbrodt on behalf of Creditor Pingora Loan Servicing, LLC bkggroup@kmlawgroup.com
Joshua I. Goldman on behalf of Creditor Pingora Loan Servicing, LLC bkggroup@kmlawgroup.com
Kenneth Steidl on behalf of Debtor Lisa M. Kusan julie.steidl@steidl-steinberg.com, ken.steidl@steidl-steinberg.com; ifriend@steidl-steinberg.com; asteidl@steidl-steinberg.com; todd@steidl-steinberg.com; cgoga@steidl-steinberg.com; rlager@steidl-steinberg.com; leslie.nebel@steidl-steinberg.com
Matthew John McClelland on behalf of Creditor Pingora Loan Servicing, LLC bkggroup@kmlawgroup.com
Office of the United States Trustee ustpreregion03.pi.ecf@usdoj.gov
Peter J. Ashcroft on behalf of Creditor Duquesne Light Company pashcroft@bernsteinlaw.com, ckutch@ecf.courtdrive.com; acarr@bernsteinlaw.com
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com, Equitablebankruptcy@peoples-gas.com; srk@sjwpgh.com

TOTAL: 10